

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

Case No.: 1:23-cv-01545-JGLC

vs.

ALL THAT LOT OR PARCEL OF LAND LOCATED AT 19 DUCK POND LANE, SOUTHAMPTON, NEW YORK 11968, TOGETHER WITH ITS BUILDINGS, APPURTENANCES, IMPROVEMENTS, FIXTURES, ATTACHMENTS, AND EASEMENTS;

UNIT 21 LOCATED IN THE BUILDING AT 515 PARK AVENUE, NEW YORK, NEW YORK 10022, TOGETHER WITH ITS APPURTENANCES, IMPROVEMENTS, FIXTURES, ATTACHMENTS, EASEMENTS, AND INTERESTS IN COMMON ELEMENTS THERETO;

UNIT 21 LOCATED IN THE BUILDING AT 515 PARK AVENUE, NEW YORK, NEW YORK 10022, TOGETHER WITH ITS APPURTENANCES, IMPROVEMENTS, FIXTURES, ATTACHMENTS, EASEMENTS, AND INTERESTS IN COMMON ELEMENTS THERETO;

UNIT 7002 PH2 OF PALAZZO DEL SOL, LOCATED AT 7002 FISHER ISLAND DRIVE, MIAMI BEACH, FLORIDA 33109, TOGETHER WITH ITS APPURTENANCES, IMPROVEMENTS, FIXTURES, ATTACHMENTS, EASEMENTS, AND INTERESTS IN COMMON ELEMENTS THERETO; AND

UNITS 7182 AND 7183 OF PALAZZO DEL MARE, AS COMBINED INTO ONE UNIT AND KNOWN AS 7183 FISHER ISLAND DRIVE, MIAMI BEACH, FLORIDA 33109, TOGETHER WITH ITS APPURTENANCES, IMPROVEMENTS, FIXTURES, ATTACHMENTS, EASEMENTS, AND INTERESTS IN COMMON ELEMENTS THERETO,

Defendants-in-rem.

VERIFIED CLAIM OF FISHER ISLAND COMMUNITY ASSOCIATION, INC.

Claimant, Fisher Island Community Association, Inc. (hereafter referred to as "FICA"), a Florida not-for-profit corporation and homeowners' association, by and through its undersigned counsel, submits this claim in relation to the aforementioned forfeiture action, asserting as follows:

1. Fisher Island Community Association, Inc. ("FICA") is, and at all times relevant was, a not-for-profit corporation organized and existing under the laws of the State of Florida and a homeowners' Association as defined by Florida Statutes section 720.301(9), responsible for the operation of **FISHER ISLAND COMMUNITY ASSOCIATION, INC.**, a community according to the SECOND AMENDED AND RESTATED MASTER COVENANTS FOR FISHER ISLAND recorded in the Official Records Book 33238 Page 1825, of the public records of Miami-Dade County, Florida ("Declaration"), as amended from time to time.
2. Florida Statutes sections 720.305, 720.308, and 720.3085, as well as the Declaration, provide that the FICA has the authority to levy and collect assessments against each Unit and Lot within the Association and has a continuing lien securing the payment of the assessments, together with interest and costs, including attorney's fees, of collecting the assessments.
3. By virtue of the title transaction recorded in Official Record Book 30522, Page 1211 of the public records of Miami-Dade County, Florida, Defendant Voxi Management Corp holds legal title to the following described real property subject to this forfeiture action (hereinafter "Subject Property #1"), which is subject to FICA's Declaration:

Legal Description: Unit 7002 PH-2, PALAZZO DEL SOL / DELLA LUNA AT FISHER ISLAND, A CONDOMINIUM, together with an undivided interest in the

limited common elements and common elements appurtenant thereto, according to the Declaration of Condominium for Palazzo del Sol / della Luna at Fisher Island, a Condominium, as recorded on December 30, 2015, in Official Records Book 29908, Page 447, of the Public Records of Miami-Dade County, Florida, as amended from time to time.

Street Address: 7002 Fisher Island Dr, Unit 7002 PH2 Miami Beach, FL 33109

4. By virtue of the title transaction recorded in Official Record Book 27349, Page 0532 of the public records of Miami-Dade County, Florida, Defendant Medallion Inc., holds legal title to the following described real property subject to this forfeiture action (hereinafter "Subject Property #2"), which is subject to FICA's Declaration:

Legal Description: Condominium Unit 7183 of PALAZZO DEL MARE AT FISHER ISLAND CONDOMINIUM NO. ONE, a Condominium according to the Declaration of Condominium thereof, recorded in Official Records Book 25839, Page 3116, of the Public Records of Miami-Dade County, Florida, and any amendments thereto, together with its undivided share in the common elements.

Street Address: 7183 Fisher Island Dr, Unit 7183, Miami Beach, FL 33109

5. Defendants Voxi Management Corp. and Medallion Inc. failed or refused to pay the assessments due to FICA as they became due.
6. FICA recorded valid and enforceable liens on Subject Property #1 and Property #2.
7. For the Defendant Voxi Management Corp., a Claim of Lien against Subject Property #1 was recorded on January 10, 2023, at Book 33536, Page 1856, in the Official Records of Miami-Dade County, Florida, and is attached as "Exhibit A."

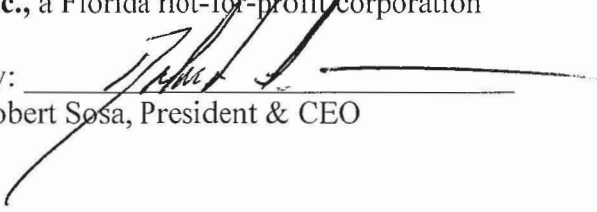
8. For the Defendant Medallion Inc., a Claim of Lien against Subject Property #2 was recorded on July 12, 2023, at Book 33788, Page 3819, in the Official Records of Miami-Dade County, Florida, and is attached as "Exhibit B."
9. In accordance with §720.3085 of the Florida Statutes and the Declaration, the Claim of Liens secure all unpaid assessments, interest, late fees, collection costs, and attorney's fees and costs incident to the collections process set forth therein and that have and will come due subsequent to its recording through the entry of a final judgment in this action.
10. To date, Defendants Voxi Management Corp. and Medallion Inc. have failed or otherwise refused to satisfy the Claim of Lien, and thus, in accordance with § 720.3085, Fla. Stat. and the Declaration, FICA is now entitled to foreclose the Claim of Lien.
11. Additional assessments have accumulated and will continue to do so, post-recording of the mentioned liens.
12. FICA's interest in Defendants Voxi Management Corp. and Medallion Inc. properties arises from the aforementioned liens, the Declaration, and the governing law. FICA seeks to enforce these liens and recover the owed assessments through foreclosure or any other lawful means.
13. FICA requests that its liens on the Defendants Voxi Management Corp. and Medallion Inc. properties be recognized and preserved, and that it be allowed to enforce these liens, irrespective of the outcome of this forfeiture action.
14. FICA's liens arise from lawful assessments imposed on the property owners and are unrelated to any alleged illegal activities as alleged in the Complaint for Forfeiture.

WHEREFORE, Claimant FISHER ISLAND COMMUNITY ASSOCIATION, INC. respectfully requests that its liens on the Defendants Voxi Management Corp. and Medallion Inc.

properties be recognized and preserved, and that it be granted any other relief the Court deems just and proper.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 30th day of November, 2023.

**Fisher Island Community Association,
Inc.**, a Florida not-for-profit corporation

By: 
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/s/ Nataly Gutierrez Vazquez, Esq.

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